

ORIGINAL

UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

RELIGION OF JESUS CHURCH,

Plaintiff(s),

v.

JOHN ASHCROFT, et al.,

Defendant(s).

CASE NO. C04-200TSZ

ORDER REGARDING INITIAL
DISCLOSURES, JOINT STATUS
REPORT, AND EARLY
SETTLEMENT

I. INITIAL SCHEDULING DATES

Pursuant to the December 1, 2000 revisions to the Federal Rules of Civil Procedure, the Court sets the following dates for initial disclosure and submission of the Joint Status Report and Discovery Plan:

Deadline for FRCP 26(f) Conference: August 4, 2004

Initial Disclosures Pursuant to FRCP 26(a): August 11, 2004

Combined Joint Status Report and Discovery
Plan as Required by FRCP 26(f) August 5, 2004

II. JOINT STATUS REPORT & DISCOVERY PLAN

All counsel and any pro se parties are directed to confer and provide the Court with a combined Joint Status Report and Discovery Plan (the "Report") by August 18, 2004. This conference shall be by direct and personal communication, whether that be a face-to-face meeting or a telephonic conference.

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1 The Report will be used in setting a schedule for the prompt completion of the case. It must contain the
2 following information by corresponding paragraph numbers:

- 3 1. A statement of the nature and complexity of the case.
- 4 2. A statement of which ADR method (mediation, arbitration, or other) should be used. If
5 the parties believe there should be no ADR, the reasons for that belief should be stated.
- 6 3. Unless all parties agree that there should be no ADR, a statement of when mediation or
7 another ADR proceeding should take place. In most cases, the ADR proceeding should be held within
8 four months after the Report is filed. It may be resumed, if necessary, after the first session.
- 9 4. A proposed deadline for joining additional parties.
- 10 5. A proposed discovery plan that indicates:
 - 11 A. The date on which the FRCP 26(f) conference and FRCP 26(a) initial disclosures
12 took place;
 - 13 B. The subjects on which discovery may be needed and whether discovery should be
14 conducted in phases or be limited to or focused upon particular issues;
 - 15 C. What changes should be made in the limitations on discovery imposed under the
16 Federal and Local Civil Rules, and what other limitations should be imposed;
 - 17 D. A statement of how discovery will be managed so as to minimize expense (e.g.,
18 by foregoing or limiting depositions, exchanging documents informally, etc.); and
 - 19 E. Any other orders that should be entered by the Court under FRCP 26(c) or under
20 Local Rules.
- 21 6. The date by which the remainder of discovery can be completed.
- 22 7. Whether the parties agree that a full-time Magistrate Judge may conduct all proceedings,
23 including trial and the entry of judgment, under 28 U.S.C. § 636(c) and Local Rule MJR 13. Agreement
24 in the Report will constitute the parties' consent to referral of the case to a full-time Magistrate Judge.
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1 8. Whether the case should be bifurcated by trying the liability issues before the damages
2 issues, or bifurcated in any other way.

3 9. Whether the pretrial statements and pretrial order should be dispensed with in whole or
4 in part for the sake of economy.

5 10. Any other suggestions for shortening or simplifying the case.

6 11. The date the case will be ready for trial.

7 12. Whether the trial will be jury or non-jury.

8 13. The number of trial days required.

9 14. The names, addresses, and telephone numbers of all trial counsel.

10 15. If, on the due date of the Report, all defendant(s) or respondent(s) have not been served,
11 counsel for the plaintiff shall advise the Court when service will be effected, why it was not made earlier,
12 and shall provide a proposed schedule for the required FRCP 26(f) conference and FRCP 26(a) initial
13 disclosures.

14 16. Whether any party wishes a scheduling conference prior to a scheduling order being
15 entered in the case.

16 If the parties are unable to agree on any part of the Report, they may answer in separate
17 paragraphs. No separate reports are to be filed.

18 The time for filing the Report may be extended only by court order. Any request for extension
19 should be made by telephone to Casey Condon at 206-553-0281.

20 If the parties wish to have a status conference with the Court at any time during the pendency of
21 this action, they should notify Casey Condon at 206-553-0281.

III. PLAINTIFF'S RESPONSIBILITY

This Order is issued at the outset of the case, and a copy is delivered by the clerk to counsel for plaintiff (or plaintiff, if pro se) and any defendants who have appeared. Plaintiff's counsel (or plaintiff, if pro se) is directed to serve copies of this Order on all parties who appear after this Order is filed within ten (10) days of receipt of service of each appearance. Plaintiff's counsel (or plaintiff, if pro se) will be responsible for starting the communications needed to comply with this Order.

DATED: July 7, 2004.

United States District Judge